

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
JERALD TIMES, :
:
Plaintiff, : 23cv3229 (DLC)
-v- :
: ORDER
SUCCESS ACADEMY CHARTER SCHOOLS, et :
al., :
:
Defendants. :
:
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DENISE COTE, District Judge:

On April 2, 2024, the plaintiff's counsel Avallone & Bellistri filed a motion to withdraw as counsel for the plaintiff. Avallone & Bellistri also requests an attorney lien be placed on any monetary award to be recouped by the plaintiff. Neither the Notice of Motion nor its supporting documentation report that the plaintiff was notified of Avallone & Bellistri's filing.

The parties were permitted to extend discovery beyond March 1, 2024 on consent. The defendants have taken the plaintiff's deposition; the plaintiff has not taken any deposition of the defendants. Any summary judgment motion is due to be filed on April 19, 2024. In the absence of a summary judgment motion, the Pretrial Order is due April 19, 2024. Accordingly, it is hereby

ORDERED that Avallone & Bellistri promptly serve the plaintiff with a copy of the Notice and its supporting Memorandum of Law, Declaration, exhibits to the Declaration, and this Order.

IT IS FURTHER ORDERED that the plaintiff shall file any objection to Avallone & Bellistri's motion by **April 9, 2024**. If no objection is filed, Avallone & Bellistri's motion to withdraw shall be granted and this action will be stayed for one month to allow incoming counsel for the plaintiff to file a notice of appearance. In the event no such notice is filed, it will be assumed that the plaintiff is proceeding pro se.

IT IS FURTHER ORDERED that Avallone & Bellistri shall file an affidavit certifying service of these documents on the plaintiff.

Dated: New York, New York
April 3, 2024



DENISE COTE
United States District Judge